

Certification of Long-Term Care Ombudsman Program Expenditures

State Agency Expenditures: In accordance with Sections 307(a)(9), 321(d) and 705(a)(4) of the Older Americans Act (OAA), I certify that for Fiscal Year _____ the State of _____ expended on its statewide Long-Term Care Ombudsman Program the amounts shown below and that the Title III and Title VII expenditures supplement and do not supplant any Federal, State or local funds expended by the State or unit of general purpose local government to provide ombudsman services. *See reverse for OAA requirements.*

Source	Base Year (FY 2000)	FY _____
Title VII, Chapter 2, Ombudsman	_____	_____
Title VII, Chapter 3, Abuse Prev.	_____	_____
Title III, expended by State, as authorized in OAA, Sec.304(d)(1)(B)	_____	_____
Title III provided at AAA level	_____	_____
Other Federal; specify:	_____	_____
State funds	_____	_____
Local; specify _____ (Do not include "in kind.")	_____	_____
TOTAL	_____	_____

Area Agency Expenditures: I further certify that, in compliance with Section 306(a)(9) and 321 (d) of the Act, each area agency on aging in the State which expended Title III funds received under Section 304 (d)(1)(B) of the Act on ombudsman activities in FY 2000 expended at least this amount of the Ombudsman Program, as defined in Section 712 of the Act, during the past fiscal year and that these expenditures supplement and do not supplant any Federal, State or local funds expended by the State or unit of general purpose local government to provide ombudsman services.

Signature of authorized State official

Date

Please return this completed form by Jan. 15, 2003 (date changed each year) to Office of Long-Term Care Ombudsman Programs, Administration on Aging, (new address), Washington, D.C. (new zip).

Older Americans Act Ombudsman Minimum Funding and Non-Supplantation Requirements And State Authorization to Expend Title III-B Funds on Ombudsman Activities

Section 307(a)(9): The (State) plan shall provide assurances that the State agency will carry out, through the Office of the State Long-Term Care Ombudsman, a State Long-Term Care Ombudsman Program in accordance with section 712 and this title (III), and will expend for such purpose an amount that is not less than an amount expended by the State agency with funds received under this title (III) for fiscal year 2000, and an amount that is not less than the amount expended by the State agency with funds received under title VII for fiscal year 2000.

Section 306(a)(9): (The area plan must) provide assurances that the area agency, in carrying out the State Long-Term Care Ombudsman Program under section 307(a)(9), will expend not less than the total amount of funds appropriated under this Act and expended by the agency in fiscal year 2000 in carrying out such a program under this title.

Section 321(d): Funds made available under this part shall supplement, and not supplant, any federal, State, or local funds expended by a State or unit of general purpose local government (including an area agency on aging) to provide services described in subsection (a).

Section 705(a)(4): In order to be eligible to receive an allotment under this subtitle, a State shall include in the State plan submitted under section 307B an assurance that the State will use funds made available under this subtitle in addition to, and will not supplant, any funds that are expended under any Federal or State law in existence on the day before the date of enactment of this subtitle, to carry out **each of** the vulnerable elder rights protections activities described in this chapter. (Emphasized words were added in the 2000 Amendments.)

From the congressional authorizing committee report: It is the committee's intent for a State to expend in subsequent years, at a minimum, the amount spent by the State on its Long Term Care Ombudsman Program in FY 2000, in addition to any increase in funding provided for ombudsman activities in each fiscal year under Title VII. *The Senate Committee on Health, Education, Labor and Pensions [HELP] report "Older Americans Act Amendments of 1999," Senate Committee Report 106-399, page 5*

Authorization for State expenditure of Title III-B funds for ombudsman activities:

Section 304(d)(1) – From any state's allotment, after the application of section 308(b), under this section for any fiscal year... **(B)** such amount (excluding any amount attributable to funds appropriated under section 303(a)(3)) as the State agency determines to be adequate for conducting an effective ombudsman program under section 307(a)(9) shall be available for conducting such program.